

REMARKS/ARGUMENTS

Applicant has reviewed and considered the Office Action dated November 1, 2007 and the cited references therein. In response thereto, claims 2 and 4 are amended; claims 5 and 20 are canceled without prejudice or disclaimer. As a result, claims 1-4 and 6-19 are pending in the present application.

Rejection under 35 U.S.C. § 112

Claims 2, 4, and 5 are rejected under 35 U.S.C. §112, second paragraph. Claims 2 and 4 have been amended to overcome the rejections. Claim 5 is canceled without prejudice or disclaimer.

Rejection under 35 U.S.C. § 101

Claim 20 is rejected under 35 U.S.C. § 101 as being non-statutory subject matter. Claim 20 is canceled without prejudice or disclaimer.

Rejections under 35 U.S.C. § 102(e) and 103(a)

Claims 1-13, 15-17 and 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Schiff et al. Claims 14, 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schiff et al. and further in view of Eggleston et al.

Claim 1 recites a marketing system that matches a customer profile to marketing offers, the marketing system comprising: a database including a customer profile containing information related to a customer's interests in products and services; a database including a plurality of marketing offers related to products and services; and a server for executing a program operable to match a selected offer of the plurality of marketing offers to the customer profile.

Schiff describes a user-driven data network communication system and method. More particularly, Schiff discloses a system for messaging over a data network allows every registered

user to generate and update one or more user portfolio(s) containing information relative to Providers and/or individuals the messages of which the user is willing to view (see at least Abstract). The system provides benefits to the user upon displaying messages with commercials value to him. In fact, Schiff teaches away from the recited claim 1 by stating that Schiff provides individual, user-driven system that overcome a system or method of requiring a surfer/user/customer to fill-in a profile, containing personal information which is then used to decide which advertisements to display to the surfer/user/customer (see paragraphs [0006], [0009] and [0010]). It is an object of Schiff to provide a user-driven advertisement method and system in which the user has control over the messages shown to him, not a marketing matching system as recited in claim 1. Thus, Applicant respectfully submits that Schiff fails to disclose or teach the claimed invention, and that claim 1 patentably distinguishes over Schiff.

The remaining claims either depend from claim 1 or recite similar features as claim 1. Thus, Applicant respectfully submit that claims 2-4 and 6-19 are patentable over Schiff and/or Schiff in view of Eggleston.

Conclusion

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are respectfully requested.

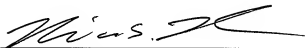
This response is being submitted on or before March 1, 2008, with the required fee of \$55.00 for a 1-month extension of time, making this a timely response. It is believe that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment and notify us of same, to Deposit Account No. 04-1420.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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